

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether  
("MTBE") Products Liability Litigation

Master File No. 1:00-1898 (VSB)

MDL 1358

**This document relates to:**

*Commonwealth of Pennsylvania v. Exxon  
Mobil Corporation, et al.,*


Case No. 14-cv-06228

**PLAINTIFF COMMONWEALTH OF PENNSYLVANIA'S  
NOTICE OF MOTION AND MOTION TO REMAND**

PLEASE TAKE NOTICE THAT Plaintiff Commonwealth of Pennsylvania ("Pennsylvania") hereby moves for a Suggestion of Remand to the Judicial Panel on Multidistrict Litigation, recommending that Pennsylvania's action be remanded for all purposes to the District Court for the Eastern District of Pennsylvania.

Pennsylvania makes this Motion on the ground that remand will best serve the expeditious disposition of this litigation because everything that remains to be done in Pennsylvania's MTBE action is case specific. *See* 28. U.S.C. § 1407(a); *see also* R.P.J.P.M.L. 10.1-10.3; *see also In re MTBE*, 2017 WL 5468758, \*2 (S.D.N.Y. 2017) (J. Broderick).

This Motion is based on this Notice of Motion and Motion, on the accompanying Memorandum in Support of Motion to Remand, on the accompanying Declaration of Bryan Barnhart in Support of Motion to Remand, and on any reply brief, oral argument, and/or evidence which may be submitted or made by Pennsylvania in support of this Motion.

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**PROOF OF SERVICE VIA FILE & SERVEXPRESS**

*Commonwealth of Pennsylvania v. Exxon Mobil Corporation, et al.*,  
United States District Court, Southern District of New York Case No. 14-cv-06228 (SAS)

I, the undersigned, declare that I am, and was at the time of service of the paper(s) herein referred to, over the age of 18 years and not a party to this action. My business address is 1050 Fulton Avenue, Suite 100, Sacramento, CA 95825-4225.

On the date below, I served the following document on all counsel in this action electronically through File & ServeXpress:

**PLAINTIFF COMMONWEALTH OF PENNSYLVANIA'S NOTICE OF MOTION AND  
MOTION TO REMAND**

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed on July 23, 2018, at Sacramento, California.

  
KATHY HERRON